

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1755

RIN 0572-AA66

Telephone Program Regulations

AGENCY: Rural Utilities Service, USDA.

ACTION: Proposed rule.

SUMMARY: The Rural Utilities Service (RUS) proposes to amend its regulations on Telecommunications Standards and Specifications for Materials, Equipment and Construction, by rescinding a number of outdated bulletins. These bulletins are incorporated by reference in RUS telecommunications regulations and thus are regulatory in nature. Therefore, RUS is requesting public comments on this proposed rescission.

DATES: Comments concerning this proposed rule must be received by RUS, or postmarked no later than February 6, 1995.

ADDRESSES: Comments should be mailed to Director, Telecommunications Standards Division, Rural Utilities Service, room 2835, South Building, U.S. Department of Agriculture, Washington, DC 20250-1500. RUS requests an original and three copies of all comments (7 CFR part 1700). All comments received will be made available for public inspection at room 2835, South Building, U.S. Department of Agriculture, Washington, DC 20250-1500 between 8 a.m. and 4 p.m. (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Richard J. Peterson, Assistant Director, Telecommunications Standards Division, Rural Utilities Service, room 2835, South Building, U.S. Department of Agriculture, Washington, DC 20250-1500, telephone number (202) 720-8663. Copies of individual bulletins are available from the Publications Branch, Rural Utilities Service, room 0180, South Building, U.S. Department of Agriculture, Washington, DC 20250-

1500, telephone number (202) 720-8674.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule has been determined to be not significant and therefore has not been reviewed by the Office of Management and Budget.

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If adopted, this proposed rule will not: (1) Preempt any State or local laws, regulations, or policies; (2) have any retroactive effect; and (3) require administrative proceedings before parties may file suit challenging the provisions of this rule.

Regulatory Flexibility Act Certification

The Administrator of RUS has determined that this proposed rule will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This proposed rule streamlines and updates RUS requirements for telephone borrowers by rescinding obsolete standards and specifications. Borrowers unable to use products meeting only the specifications being eliminated may experience increased short-term costs. However, RUS believes that borrowers will benefit from reduced overall costs due to the greater durability and lower maintenance costs over time. These bulletins no longer meet industry standards.

Information Collection and Recordkeeping Requirements

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

National Environmental Policy Act Certification

The Administrator has determined that this proposed rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment.

Catalog of Federal Domestic Assistance

The program described by this proposed rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.851, Rural Telephone Loans and Loan Guarantees, and 10.582, Rural Telephone Bank Loans. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402.

Executive Order 12372

This proposed rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation that requires intergovernmental consultation with state and local officials. A Notice of Final Rule entitled Department Programs and Activities Excluded from Executive Order 12372 (50 FR 47034) exempts RUS and RTB loans and loan guarantees, and RTB bank loans, to governmental and nongovernmental entities from coverage under this Order.

Background

Pursuant to the Department of Agriculture Reorganization Act of 1994 (Pub. L. 103-354, 108 Stat. 3178), the United States Secretary of Agriculture simultaneously abolished the Rural Electrification Administration (REA) and established the Rural Utilities Service (RUS). The terms "RUS bulletin" and "RUS standards and specifications" have the same meaning as the term "REA bulletin" and "REA standards and specifications", unless otherwise indicated. RUS issues publications titled "bulletins" which serve to guide borrowers regarding already codified policy, procedures, and requirements needed to manage loans, loan guarantee programs, and the security instruments which provide for and secure RUS financing. RUS issues standards and specifications for the construction of telephone facilities financed with RUS loan funds. After review of RUS's bulletin and specification issuances, RUS has decided to propose to rescind the outdated RUS bulletins listed below. RUS felt rescission was the best option for these bulletins and welcomes public comment. These bulletins are incorporated by reference at 7 CFR 1755.97.

LIST OF RUS BULLETINS PROPOSED FOR RESCISSION

RUS bulletin No.	Specification No.	Date last issued	Title of standard or specification
345-13	PE-22	Jan. 1983	RUS Specification for Aerial and Underground Telephone Cable.
345-29	PE-38	Feb. 1982	RUS Specification for Self-Supporting Cable.
345-75	PE-65	Jan. 1977	RUS Specification for Electronic Trunk Circuits.
345-168	Form 538	Oct. 1977	RUS Specification for Equipment for Direct Distance Dialing.

RUS Bulletins 345-13, RUS Specification for Aerial and Underground Telephone Cable, PE-22 and 345-29, RUS Specification for Self-Supporting Cable, PE-38 specify the technical requirements for air core cables that are primarily used in aerial plant installations. With the development of filled cables having 80 degree Centigrade filling compounds, filled cables, which are primarily used for direct buried and underground plant installations, can now be used for aerial plant installations. Since filled cables provide greater service reliability than air core cables, filled cables for aerial plant installations have increased on RUS borrower construction projects. This increasing use of filled cables for aerial installations has resulted in a decline of air core cables for aerial plant construction projects. Since the use of air core cables in aerial plant construction is declining on RUS borrower projects, RUS is rescinding

both bulletins because of obsolescence. RUS borrowers may refer to 7 CFR 1755.390, RUS Specification for Filled Telephone Cables, and/or 7 CFR 1755.890, RUS Specification for Filled Telephone Cables With Expanded Insulation, for further information on filled cables.

RUS Bulletin 345-75, RUS Specification for Electronic Trunk Circuits, PE-65, is proposed for rescission because RUS trunk circuits are now digitally derived making RUS Bulletin 345-75 obsolete.

RUS Bulletin 345-168, RUS Specification for Equipment for Direct Distance Dialing, Form 538, specified the technical requirements for equipment use in direct distance dialing. Since the equipment requirements for direct distance dialing are now specified in RUS 7 CFR 1755.522, RUS General Specification for Digital, Stored Program Controlled Central Office Equipment, RUS Bulletin

345-168 is no longer required therefore making the document obsolete.

List of Subjects in 7 CFR Part 1755

Incorporation by reference, Loan programs—communications, Rural areas, Telephone.

For reasons set out in the preamble, RUS proposes to amend Chapter XVII of title 7 of the Code of Federal Regulations as follows:

PART 1755—TELECOMMUNICATIONS STANDARDS AND SPECIFICATIONS FOR MATERIAL, EQUIPMENT AND CONSTRUCTION

1. The authority citation for part 1755 continues to read as follows:

Authority: 7 U.S.C. 901 *et seq.* 1921 *et seq.*

§ 1755.97 [Amended]

2. Section 1755.97 is amended by removing the entries listed below from the table:

RUS bulletin No.	Specification No.	Date last issued	Title of standard or specification
345-13	PE-22	Jan. 1983	RUS Specification for Aerial and Underground Telephone Cable.
345-29	PE-38	Feb. 1982	RUS Specification for Self-Supporting Cable.
345-75	PE-65	Jan. 1977	RUS Specification for Electronic Trunk Circuits.
345-168	Form 538	Jan. 1977	RUS Specification for Equipment for Direct Distance Dialing.

Dated: 12-6-94.

Bob J. Nash,

Under Secretary, Rural Economic and Community Development.

[FR Doc. 95-246 Filed 1-4-95; 8:45 am]

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7 CFR Part 1755

RUS General Specification for Digital, Stored Program Controlled Central Office Equipment (Form 522)

AGENCY: Rural Utilities Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend the Rural Utilities Service (RUS) General Specification for Digital, Stored Program Controlled Central Office

Equipment by eliminating the requirement for multiparty service and certain other technical aspects associated with this service. This amendment does not diminish public telephone service integrity.

DATES: Written comments must be received by RUS or postmarked no later than February 6, 1995.

ADDRESSES: Written comments should be addressed to Orren E. Cameron III, Director, Telecommunications